

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CULLEN M. HANKERSON,

Plaintiff,

v.

DEPARTMENT OF RISK
MANAGEMENT, et al.,

Defendant.

CASE NO. C13-6036 BHS

ORDER DENYING PLAINTIFF'S
MOTION FOR RELIEF FROM
JUDGMENT

This matter comes before the Court on Plaintiff Cullen M. Hankerson's ("Hankerson") motion for relief from judgment (Dkt. 81).

On March 10, 2015, the Court adopted the Report and Recommendation, granted Defendants' motion for summary judgment, and dismissed Hankerson's complaint. Dkt. 79. On May 11, 2015, Hankerson filed the instant motion arguing that the Court should vacate the judgment entered against Hankerson because Defendant Greg Pressel lied about his job title and description. Dkt. 81. On May 19, 2015, Defendants responded. Dkt. 82. On May 29, 2015, Hankerson replied. Dkt. 84.

1 In this case, Hankerson moves for relief from the judgment based on fraud or the
2 general provision allowing relief for “any other reason that justifies relief.” Fed. R. Civ.
3 P. 60(b)(3), (6). Hankerson, however, fails to show that the judgment against him was
4 obtained by fraud. Even if Hankerson’s allegations are taken as true, he fails to show that
5 the Court would have decided the merits in any other way. Therefore, the Court
6 **DENIES** Hankerson’s motion because he has failed to show fraud or any other reason
7 that justifies relief. Furthermore, the Court again **REVOKES** Hankerson’s *in forma*
8 *pauperis* status for purposes of appeal of this order because any appeal would be
9 frivolous.

10 **IT IS SO ORDERED.**

11 Dated this 11th day of June, 2015.

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14 BENJAMIN H. SETTLE
15 United States District Judge
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